



Phillips Planning Services Ltd.  
Town Planning and Development Consultants

# **THE GARDEN HOUSE**

LAND BEHIND THE REAR GARDEN  
OF NO.81 FITZJOHN'S AVENUE /  
LAND ADJACENT 1 ELLERDALE  
ROAD, LONDON, NW3 6BA

## **PLANNING, DESIGN AND ACCESS STATEMENT**

**ERECTION OF SINGLE STOREY DWELLINGHOUSE WITH TWO  
STOREY BASEMENT**

DECEMBER 2015

# 1.0 INTRODUCTION

- 1.1 The following statement has been prepared in support of this full application for the approval of a single storey dwellinghouse with a two storey basement. This application is submitted following the approval of a proposal for the erection of a new single storey dwellinghouse with basement (2012/6484/P) in October 2014.
- 1.2 A revised version of that single storey basement proposal has also been submitted to secure approval for a revised foundation design.
- 1.3 The purpose of this application is to seek approval for an extended scheme to add an additional basement level using that alternative foundation design. The new additional basement storey scheme has been prepared following further site investigations and discussions with the contractor and structural engineers.
- 1.4 In addition and to assist with enabling an immediate start on site, this application is accompanied by all the details requested by condition under approval 2012/6484/P. The application is also accompanied by a new Unilateral Undertaking containing the Sustainability Plan and Construction Management Plans requested by the previous S106 and revised to take account of the additional basement level.
- 1.5 It is our hope that this enhanced level of detail will enable the Council to approve the extended scheme as a streamlined approval that enables a start to be made onsite.
- 1.6 The statement is set out as follows:

1.0 Introduction

2.0 Site Description

3.0 Planning History

4.0 Planning Policy

5.0 Planning Analysis

6.0 Conclusions

Appendix A – Appointed Engineer Details

# 2.0 SITE DESCRIPTION

- 2.1. The site is situated in a residential area in Hampstead, London. It is 3 minutes' walk south of Hampstead Tube Station and the many amenities and services available to the north along Hampstead High Street. The site is in a sustainable location in walking and cycling distance of employment, leisure and shopping opportunities, with a tube station and bus stops within walking distance of the site.
- 2.2. The site is located on land adjacent to the rear garden of 1 Ellerdale Road, and to the rear of no.s 81 and 83 Fitzjohn's Avenue. The site is currently a vacant, non-descript piece of grass land, surrounded by 1.8m to 2.0m high walls and fences forming residential boundaries. It is accessed via a sloping footpath from the street down the east side of 1 Ellerdale Road. There is only pedestrian access from the street.



- 2.3. To the front of the site is a single storey detached garage unit in brick with a short drive. To the west is 1 Ellerdale Road, a 4.5 storey townhouse (including lower ground floor and attic accommodation, which is broken up into multiple dwellings. To the rear is a single storey kitchen extension over which sits a steel framed fire escape leading to the rear of the property and serving the upper floors.
- 2.4. To the east along Fitzjohn's Avenue sits 4no. semi-detached town houses of substantial size and height, fronting onto the main road. They are 4.5 storeys including the lower ground floor and attic accommodation.
- 2.5. To the south and south east is Arthur West House, a large corner building of 3-6 storeys in height. From the site history it would appear to have been in use as a hostel (sui generis use class), however, development has commenced on the implementation of a scheme for 33no. self-contained wheelchair accessible flats for the care & well-being of older people. The proposal is 3-6 storeys in height with a 2-storey basement, approved under reference 2014/7851/P. Demolition is in progress.
- 2.6. The site itself is well screened from residents by existing trees and landscaping within neighbouring rear gardens, and is not visible from the public realm.
- 2.7. The site is located within the Fitzjohn's Netherhall Conservation Area.

# 3.0 PLANNING HISTORY

## 3.1. Planning History

Land behind the rear garden of no.81 Fitzjohn's Avenue / Land adjacent 1 Ellerdale Road, London, NW3 6BA		
Awaiting Validation	Erection of single storey dwellinghouse with two storey basement	Pending
2012/6484/P	Erection of new single storey dwellinghouse with basement on land behind the rear garden of No.81 Fitzjohns Avenue, with access off Ellerdale Road (Class C3) – Revised Basement Impact Assessment	APPROVED: 21/10/2014
2011/4005/P	Erection of a new single-storey dwellinghouse on land behind the rear garden of No. 81 Fitzjohn's Avenue, with access off Ellerdale Road.	APPROVED: 02/11/2011
2010/5841/P	Amendments including a ramped pathway, fenced courtyard and redesigned front elevation to planning permission granted 28/05/2010 (ref: 2010/0861/P) for the erection of a new single-storey dwellinghouse on land behind the rear garden of No. 81 Fitzjohn's Avenue, with access off Ellerdale Road	APPROVED: 24/05/2011
2010/0861/P	Amendments including a ramped pathway, fenced courtyard and redesigned front elevation to planning permission granted 28/05/2010 (ref: 2010/0861/P) for the erection of a new single-storey dwellinghouse on land behind the rear garden of No. 81 Fitzjohn's Avenue, with access off Ellerdale Road.	APPROVED: 28/05/2010
2005/1168/P	Amendments to amended planning permission granted 24/05/2011 (ref: 2010/5841/P) for the erection of a new dwelling house on land to the rear 81 Fitzjohn's Avenue to include increase in site area	APPROVED: 23/08/2005

	for enlarged garden, increase in built footprint of house and rebuild of boundary walls.	
Other sites of relevance		
Arthur West House, 79 Fitzjohn's Avenue London, Camden, NW3 6PA		
2014/7851/P	Demolition of hostel and erection of 3 - 6 storey building plus roof plant enclosure and excavation of 2 storey basement to provide 33 self-contained wheelchair accessible flats for the care & well-being of older people (13 x 2-bed & 20 x 3-bed) including ancillary extra-care and treatment rooms, restaurant, health & well-being facility, gym, communal lounges, guest suite, cycle and mobility scooter storage and staff facilities with basement level car park , communal garden and associated landscaping.	Approved: 28-01-2015 Subject to S106

- 3.2. The planning history clearly indicates that the proposed form of development is acceptable in principle and in detail. Planning approval 2012/6484/P is comparable to the proposed application, the only difference being the proposed method of construction of the basement and the insertion of an additional storey. It is therefore these matters which forms the main basis of any assessment.
- 3.3. It is also interesting to note the more recent approval for redevelopment of Arthur West House by PegasusLife, includes substantial basement development adjacent to Fitzjohn's Avenue down to 2 to 3 storeys. The approved BIA for this scheme also indicates the suitability of piled foundations as a construction method.

# 4.0 PLANNING POLICY

4.1. The following planning policies are considered relevant to this application and make up the Development Plan. These should be read in conjunction with the National Planning Policy Framework as supported by the Planning Practice Guidance:

- **The London Plan 2011**
- **LDF Core Strategy and Development Policies Core Strategy**
  - CS5 Managing the impact of growth and development
  - CS6 Providing quality homes
  - CS13 Tackling climate change through promoting higher environmental standards
  - CS14 Promoting high quality places and conserving our heritage
  - CS15 Protecting and improving our parks and open spaces & encouraging biodiversity
  - CS16 Improving Camden's health and well-being
  - CS17 Dealing with our waste and encouraging recycling
- **Development policies**
  - DP19 Managing the impact of parking
  - DP22 Promoting sustainable design and construction
  - DP23 Water
  - DP24 Securing high quality design
  - DP25 Conserving Camden's heritage
  - DP26 Managing the impact of development on occupiers and neighbours
  - DP27 Basement and Lightwells
  - DP29 Improving access
  - DP32 Air quality and Camden's Clear Zone
- **Supplementary Planning Guidance**
  - CPG1 (Design)
  - CPG3 (Sustainability)
  - CPG4 (Basements and lightwells)
  - CPG6 (Amenity)
  - CPG7 (Transport)

## NATIONAL PLANNING POLICY

- 4.2. National planning policy consists of the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG).

### National Planning Policy Framework

4.3. **NPPF Paragraph 14**

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For decision-taking this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - Specific policies in this Framework indicate development should be restricted.

## KEY LOCAL PLANNING POLICY

### Camden Development Policies 2010-2025

4.4. **DP27 – Basements and Lightwells**

In determining proposals for basement and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability, where appropriate. The Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. We will require developers to demonstrate by methodologies appropriate to the site that schemes.



- a) maintain the structural stability of the building and neighbouring properties;
- b) avoid adversely affecting drainage and run-off or causing other damage to the water environment;
- c) avoid cumulative impacts upon structural stability or the water environment in the local area; and we will consider whether schemes:
- d) harm the amenity of neighbours;
- e) lead to the loss of open space or trees of townscape or amenity value;
- f) provide satisfactory landscaping, including adequate soil depth;
- g) harm the appearance or setting of the property or the established character of the surrounding area; and
- h) protect important archaeological remains.

The Council will not permit basement schemes which include habitable rooms and other sensitive uses in areas prone to flooding. In determining applications for lightwells, the Council will consider whether:

- i) the architectural character of the building is protected;
- j) the character and appearance of the surrounding area is harmed; and
- k) the development results in the loss of more than 50% of the front garden or amenity area.

# 5.0 PLANNING ANALYSIS

- 5.1. The proposal is for the erection of a single storey dwelling with two storey basement on land behind the rear garden of no.81 Fitzjohn's Avenue. The site will be accessed via Ellerdale Road.
- 5.2. The site is 128sqm in size, the proposed building has a footprint of 110sqm. The Gross Internal Floor Area measures 222sqm (86sqm at Ground Floor and 68sqm in the 1<sup>st</sup> Basement Level and 68sqm in the second basement level).
- 5.3. The main changes from planning permission 2012/6484/P and the revised version of that application currently pending relate to the change in construction methodology and the excavation of an additional basement level. The foundation design will change from a part contiguous bored piled wall and underpinned boundary walls with reinforced concrete linings to a full contiguous bored piled wall foundation around the whole perimeter.
- 5.4. The issues for consideration are:
- Principle of Development
  - Design
  - Basement
  - Landscape and Trees
  - Transport
  - Construction Management
  - Sustainability and Energy Efficiency
  - Planning Obligations
  - CIL

## PRINCIPLE OF DEVELOPMENT

- 5.5. The principle of a new dwelling has already been established through the grant of planning permissions in 2005, 2010 and 2011. Permission for a dwelling with

basement was established by consent granted in 2014. The footprint of the building remains the same as the approved scheme.

- 5.6. The proposal is located in a highly sustainable location and therefore paragraph 14 of the NPPF is relevant and the presumption in favour applies.
- 5.7. The principle of development is therefore considered acceptable in this context.

## **DESIGN**

- 5.8. The policy context falls under Policy CS14, DP24, DP25 and DP27 of the LDF Core Strategy and Development Policies, supported by Supplementary Guidance in CPG1 (Design) and CPG4 (Basements and Lightwells). The site is also located in Fitzjohn's Netherhall Conservation Area and therefore the Conservation Area Statement is relevant.
- 5.9. The original and historic permission has established that the erection of a single storey dwelling (as experienced above ground) is acceptable. The enclosed nature of the site with established boundaries and tree screening limits views into the site, and also conceals the limited exposed elevations. From neighbours they will only see a boundary wall of a standard residential height. While internal elevations can be seen in the front courtyard and the rear lightwell areas. Materials selection will utilise the existing palette of materials found in surrounding buildings. This will complement the appearance of existing townhouses and their boundary walls.
- 5.10. The visual impact of this proposal is extremely modest and it will not have any detrimental impact in views from surrounding buildings. The limited visual impact also results in no detrimental impacts to the character and appearance of the conservation area.

## **BASEMENT**

- 5.11. The difference between the approved scheme and the newly proposed scheme is the construction method for the construction of the basement and the excavation of the additional basement level. The previous approved scheme was to be constructed via a part contiguous bored piled wall and underpinned boundary walls with reinforced

concrete linings. Following liaison with the contractor, piling specialist and the Structural Engineers it has been determined that a full contiguous bored piled wall foundation around the whole perimeter would be a much quicker construction process allowing for a shorter construction programme and offers more certainty.

- 5.12. In accordance with Policy DP27 the applicant must demonstrate through an appropriate assessment that the proposals will maintain the structural stability of the building and neighbouring buildings; that it will not adversely affect drainage and surface water run-off; or damage to the water environment and hydrology of the area. Cumulative impacts must also be assessed.
- 5.13. In support of this application an updated Basement Impact Assessment (BIA) has been prepared by Alan Baxter Associates in accordance with the Council's requirements set out in CPG4. The BIA has been prepared by suitably qualified engineers with extensive experience in basement design and prior knowledge of the complexities of this specific site. We expect the Council to seek independent verification of the suitability and robustness of this assessment, and enclose a completed BIA Audit Instruction Form to expedite proceedings.
- 5.14. Basement applications are subject to great scrutiny by neighbours who will have concerns regarding the impact of basement excavations. It is therefore right to secure an independent view on the proposed construction methodology and impact on structural stability and hydrology. The updated BIA is consistent with the previously approved BIA, and we are of the opinion that it is compliant with the policies as set out in DP27 and CPG4.
- 5.15. It should be identified that the council has also approved excavations to deliver a 2-storey basement as part of the Arthur West House redevelopment. The approved BIA considered cumulative impacts taking account of the existing approved scheme at this site and was satisfied there would be no adverse impacts.
- 5.16. Condition 8 of the previous approval requires details of the appointed chartered engineer, who will inspect, approve and monitor the critical elements of both temporary and permanent basement construction works. Given that the project has progressed to an advanced stage, details of the appointed engineer are enclosed at Appendix A of this statement for approval by the Council and no condition is therefore required.

## LANDSCAPE AND TREES

- 5.17. While the site is devoid of any important landscape features, there are trees in neighbouring sites that have been assessed as part of the development proposals. An updated Arboricultural Impact Assessment is submitted in support of this application contained within the BIA; this includes a Mitigation Strategy in respect of construction of the building in close proximity to the established Root Protection Area of the Ash Tree noted as T1.
- 5.18. Under condition 7 of the previous approval 2012/6484/P the applicant was required to provide additional details of the foundation design in so far as these items may affect the trees on or adjoining the site. In order to provide clarity on this matter and negate the need for the condition, this application includes the requested details for approval by the Council's Tree Officer.
- 5.19. The conclusion of the Arboricultural Impact Assessment is that the scheme will not have an adverse impact on the health and wellbeing of the Ash tree.

## TRANSPORT

- 5.20. The site has a PTAL of 3 (moderate) and is within a Controlled Parking Zone. The site is a sustainable location with good accessibility. The scheme proposes no onsite car parking, and the applicant has signed up to the scheme being car free as set out in the Unilateral Undertaking.
- 5.21. Onsite cycle parking or storage for one bicycle is required under policy DP18. Details of this provision were previously requested by condition 6 of permission 2012/6484/P. To negate the need for this condition, the submitted plans detail a surface mounted Sheffield stand to be located in the front courtyard as shown on the Ground Floor Plan in drawing ref: 28471-07C.

## CONSTRUCTION MANAGEMENT

- 5.22. The previous application did not include a draft Construction Management Plan (CMP), and as such details were required by an obligation within the S106. As part of this application a detailed Construction Management Plan has been prepared by Charles Edward Ltd setting how the construction process will be managed, in respect of access to the site for plant, materials and trades. As well as covering the management of waste, and the control of dirt and dust on the highway.
- 5.23. The CMP is contained in the submitted Unilateral Undertaking.
- 5.24. We would also highlight that a window of opportunity has opened up to enable an access for some of the construction period through the neighbouring site at Arthur West House, currently under construction. The window of opportunity to access the site through this larger site and minimise access from Ellerdale to the benefit of residents is available between February and March 2016.
- 5.25. If a streamlined permission can be issued to enable works to commence in February this could greatly reduce disturbance for neighbours. The applicant has an agreement in place to enable this.

## SUSTAINABILITY AND ENERGY EFFICIENCY

- 5.26. In line with policies CS13, DP22, DP23 and CPG3 on Sustainability, the application is supported by a comprehensive Sustainability Plan prepared by Eight Associates. The Sustainability Strategy and Energy Statement set out how the dwelling will achieve a 35% reduction in Carbon Emissions over Part L of the Building Regulations.
- 5.27. A holistic approach has been taken to the sustainable design and construction of this dwelling. The key sustainability features are as follows:
- At least 35% improvement over Building Regulations Part L 2013 to demonstrate compliance with national policy to achieve an 80% reduction in carbon emissions by 2050, and to meet the Building Performance of Buildings Directive of nearly zero carbon homes by 2020.
  - At least a 40% reduction in typical water use rates through implementation of water efficiency and reuse measures.

- A sustainable materials procurement policy and an efficient waste strategy on site including at least 85% of waste to be diverted from landfill.
- The inclusion of sustainable transport options such as cycle storage and a home office to allow the occupants to work from home.
- Protection and enhancement of ecology on site including birds and bat boxes and the appropriate actions to ensure protected species including, but not restricted to, bats and great crested newts.
- The inclusion of a 65m<sup>2</sup> green roof to reduce and delay the discharge of rainfall into public sewers and watercourses, thereby minimising the risk and impact of localised flooding and on and off-site watercourse pollution.
- An emphasis on local supply and labour to encourage employment opportunities and to offer a diverse, self-sustaining environment.

5.28. In line with the previous S106 the detailed Sustainability plan and Energy Statement have been included in the Unilateral Undertaking as an obligation the applicant has signed up to. We are therefore of the opinion that the supporting information demonstrates that the proposal complies with the adopted policies.

## PLANNING OBLIGATIONS

5.29. Planning permission was previously granted subject to a legal agreement covering obligations in respect of the proposal being Car Free development, the implementation of an appropriate Construction Management plan and the submission and implementation of an appropriate Sustainability Plan.

5.30. Given that these parameters have been established and that the requirements have been made clear, work was already underway to provide this information to discharge obligations on the 2014 approval. To assist in streamlining the approval process the applicant's solicitor has prepared a comprehensive Unilateral Undertaking with the Sustainability Plan and Construction Management Plans included in this document.

5.31. In the unilateral the applicant covenants to implement the development in accordance with these plans.

## CIL

5.32. The proposal is liable for the Mayor of London's CIL based on the Mayor's charging schedule. A completed CIL form has been submitted with the application.



# 6.0 CONCLUSIONS

- 6.1. The proposal is for the erection of a single storey dwelling with two storey basement on land behind the rear garden of no.81 Fitzjohn's Avenue, on land adjacent to 1 Ellerdale Road.
- 6.2. This statement has set out how the proposed development is acceptable in principle and how the proposal has addressed the relevant planning issues.
- 6.3. This application is submitted following the approval of a proposal for the erection of a new single storey dwellinghouse with basement (2012/6484/P) in October 2014. The purpose of this application is to seek approval for a similar scheme but with an alternative foundation design and an extra basement level.
- 6.4. In addition and to assist with enabling an immediate start on site, this application is accompanied by all the details requested by condition and planning obligation under approval 2012/6484/P. The application is accompanied by a new Unilateral Undertaking containing the Sustainability Plan and Construction Management Plans requested by the previous S106.
- 6.5. We are therefore of the opinion that the proposal is in full compliance with the Development Plan policies and would kindly request that planning permission is granted.

# APPENDIX **A**

**Simon Bennett**

**MEng MICE MStructE**

**Senior Associate**

Simon has extensive experience of leading major alterations to existing and historic buildings as well as complex new build projects on restricted sites. Working closely with clients, architects and other professionals, Simon believes firmly in the importance of clear communication, ensuring that structural issues and other requirements are fully understood by all involved.

Simon's refurbishment projects include a major new private art gallery in Lambeth where three existing listed buildings have been refurbished and two new buildings constructed to house offices and a restaurant. New basements were constructed under all five buildings. He is also working on the refurbishment of the New Library at Magdalen College, Oxford, where a listed mid 19<sup>th</sup> century school building is being enhanced and extended to provide modern facilities in a new basement. Recently complete projects include the £20 million rejuvenation of the grade II listed Kentish Town Sports Centre. Alongside complex alterations to the existing structure, a new basement has been created alongside the listed buildings, whilst his work on the £35 million refurbishment of the grade I listed St Martin-in-the-Fields involved deep excavations adjacent to the existing buildings to provide a new double-storey basement for the church's outreach work.

Simon's new build projects have been equally complex, with the three storey reinforced concrete frame of Lady Margaret Hall at Oxford requiring the design of transfer structures at first floor level and a two storey deep basement for plant. His work on a £2.5 million private London residence involved a high specification concrete finish and complex structural requirements, including a basement extending over the majority of the site and to within 1m of existing buildings. He is currently working on a large new basement in the rear garden of a property in Notting Hill to house a gym and swimming pool.

## **Schedule to accompany the ABA proposal and Terms of Business**

### ***Structural and Civil Engineering Scope of Works and Services***

#### **1. Project Details and Scope of Works**

**Project Title** Land by 1 Ellerdale Road

**Client** Mr Jonathan McElroy

**Client Representative** Mr Jonathan McElroy  
who has the authority to make decisions under this Appointment

**Project Description** Design and construction of a new house comprising of ground floor with two stories of basement below

**Works** Production of a Basement Impact Assessment for the scheme, followed by the Structural Engineering design of the Project  
in connection with which the Client has appointed Alan Baxter Limited ('ABA') to provide structural and Civil engineering consultancy services

**Lead Consultant** Architect - TBC  
who has been appointed by the Client to coordinate the work of ABA and other consultants

#### **2. Normal services for Structural and Civil Engineering**

##### ***2.1 Inception***

- 2.1.1 Seek the brief and instructions from the Client describing the Client's requirements in respect of the Works, what they are intended to achieve, their cost and programme.
- 2.1.2 Discuss with the Client the role of ABA and the Client's relationship with the Lead Consultant, any other consultants and any Principal Designer appointed in accordance with the Construction (Design and Management) Regulations 2015.
- 2.1.3 Seek from the Client all pertinent information and documents. (These are to be provided by the Client.)

2.1.4 Request any further information from the Client following study of the above information to understand the Client's strategic brief, including key objectives and constraints.

## **2.2 *Appraisal Stage***

2.2.1 Obtain such information as is reasonably available from documents on the existence and extent of public services such as water, gas, electricity, sewerage, culverts, tunnels and telecommunications services and comment to the Client through the Lead Consultant on any effect that these may have on the Works, both during construction of the Works and on completion.

2.2.2 Prepare a desk study of aspects of the site relevant to the design of the Works, including the site history and geology.

2.2.3 Study information relevant to the site and to the proposed Works.

2.2.4 Comment to the Client through the Lead Consultant on any physical site restrictions which may affect the engineering options for the Works.

2.2.5 Advise the Client on the need for opening up works, trial pits and investigations of the existing structure and the need for geotechnical investigations.

2.2.6 If access for carrying out any investigations is not made available by the Client, advise the Client through the Lead Consultant of the potential consequences. Identify any investigations which need to be carried out at the start of construction of the Works.

2.2.7 Collaborate with the Lead Consultant in making initial recommendations on the technical viability of the Works.

2.2.8 Seek, through the Lead Consultant, the Client's consent to proceed to the Outline Proposals Stage.

## **2.3 *Outline Proposals Stage***

2.3.1 Consider outline solutions for the Works.

2.3.2 Consult any local or other authorities about matters of principle in connection with the design of the Works.

2.3.3 Assist the Client to develop the brief for the Works in consultation with the Lead Consultant. Agree with the Client any change to the fee for the Services resulting from any change to the brief.

2.3.4 Discuss with the Client the likely requirements for site staff, if any.

- 2.3.5 Provide sufficient preliminary information in relation to the Works in the form of advice, sketches, reports or outline specifications to enable the Lead Consultant to prepare his outline proposals and for him or any other consultant to prepare an outline cost plan.
- 2.3.6 Seek, through the Lead Consultant, the Client's approval of the outline proposals and the Client's consent to proceed to the Detailed Proposals Stage.

#### **2.4 *Detailed Proposals Stage***

- 2.4.1 Liaise with the Lead Consultant to agree a programme for the design and construction of the Works.
- 2.4.2 Develop the design of the Detailed Proposals for the Works in collaboration with the Lead Consultant and other consultants.
- 2.4.3 Prepare such representative sketches, drawings and/or specifications in respect of the Works as are necessary to enable the Lead Consultant or other consultant to prepare the cost plan.
- 2.4.4 Collaborate with the Lead Consultant and other consultants to prepare the Detailed Proposals for presentation to the Client, drawing attention to any significant differences from the previously agreed requirements for the Works.
- 2.4.5 Seek, through the Lead Consultant, the Client's approval of the Detailed Proposals and the Client's consent to proceed to the Final Proposals Stage.

#### **2.5 *Final Proposals Stage***

- 2.5.1 Develop the design of the Works in collaboration with the Lead Consultant and other consultants and prepare sufficient, drawings, schedules and specifications to enable ABA, the Lead Consultant and other consultants, to prepare the final proposals.
- 2.5.2 ABA may recommend to the Client that the detailed design of any part of the works should be carried out by a contractor or sub-contractor and the Client shall not unreasonably withhold consent to such a recommendation. ABA will examine that detailed design and incorporate it into his own design. ABA shall not be responsible for such detailed design or liable for defects in or omissions from it.
- 2.5.3 Integrate into the design of the Works any specialists' requirements, as provided by the Lead Consultant.
- 2.5.4 Collaborate with the Lead Consultant and any other consultants to prepare the final proposals for presentation to the Client, drawing attention to any significant differences from the previously agreed requirements for the Works.

2.5.5 Collaborate with the Lead Consultant to enable it to co-ordinate the design of the Works into the overall design of the Project.

2.5.6 Seek, through the Lead Consultant, the Client's approval of the Final Proposals and the Client's consent to proceed to the Production Information Stage.

## **2.6 *Production Information Stage***

2.6.1 Develop the design of the Works in collaboration with the Lead Consultant and any other consultants and prepare sufficient drawings, schedules and specifications to enable ABA, the Lead Consultant or any other consultant, to prepare Tender Documentation in respect of the Works.

2.6.2 Prepare such calculations and details relating to the Works as may be required for submission to any appropriate statutory authority. Identify information relevant to the Works supplied by specialist suppliers and/or contractors which may need to be included in such submissions (excluding any submissions or applications for planning consents and approvals).

2.6.3 Prepare any further drawings and schedules necessary to enable contractors to carry out the Works, but excluding co-ordination drawings and drawings and designs for temporary works, formwork and shop fabrication details. In the case of reinforced concrete work, prepare general arrangement drawings and drawings of non-standard details containing sufficient information to enable a contractor to prepare standard details and bar bending schedules for the Works.

2.6.4 If requested, advise the Lead Consultant on the need for any special conditions of contract relevant to the Works and on appropriate forms of contract for the Works.

2.6.5 Seek, through the Lead Consultant, the Client's consent to proceed to the Mobilisation, Construction and Completion Stage.

## **2.7 *Mobilisation, Construction and Completion Stage***

2.7.1 Advise the Lead Consultant on the finalisation of formal contract documents for carrying out the Works or any part thereof.

2.7.2 Examine detailed designs, shop fabrication drawings, standard details, bar bending schedules and specifications submitted by contractors or sub-contractors for the Works or parts thereof, in respect of conformity with ABA's design and in particular in respect of general dimensions, structural adequacy of members and connections and compliance with performance criteria. ABA shall not be required to examine the design of any proprietary products manufactured or supplied by contractors or sub-contractors.

2.7.3 Advise the Client through the Lead Consultant on the need for special inspections or tests arising during the construction of the Works.

- 2.7.4 Advise on the appointment and duties of site staff and, where they have been appointed, instruct site staff.
- 2.7.5 Assist the Lead Consultant in examining contractors' proposals as may be required by contracts for the Works but not the consideration of alternative designs for the Works submitted by contractors.
- 2.7.6 Attend relevant site meetings and make other periodic visits to the site to assist the Lead Consultant and/or other consultant to monitor that the Works are being executed generally in accordance with the contract documents and with good engineering practice and advise the Lead Consultant on the need for instructions to contractors. The frequency of site visits by ABA to attend meetings and/or to see the Works shall be fortnightly throughout the construction of the Works unless agreed otherwise with the Client.
- 2.7.7 Advise the Lead Consultant on certificates for payment to contractors in respect of the Works.
- 2.7.8 Keep a record of any defects noted on site visits during the course of the Works.
- 2.7.9 On practical/substantial completion of the Works advise the Lead Consultant if there are known defects which have not been rectified.
- 2.7.10 On completion of the Works, and when requested, ABA will deliver to the Client one copy of each of the final drawings supplied to contractors for the purpose of constructing the Works.

## **2.8 *Provision of Other Services***

- 2.8.1 From time to time, as it appears to ABA to be necessary, advise the Client as to the need for the Client to be provided with Other Services (see 4 and 5 below).

## **3. Normal Tender Documentation and Tender Action Services**

- 3.1 Discuss and agree with the Client and Lead Consultant the procurement route to be adopted and at what stage the project is to be tendered. Assist the Lead Consultant in advising the Client of the relative merits of each route. Seek through the Lead Consultant the Client's agreement to the selected route.
- 3.2 Assist the Lead Consultant in advising the Client as to the suitability for carrying out the Works of persons and firms to be invited to tender for any contract involving the construction, supply and/or installation of all or part of the Works.
- 3.3 Provide information to the Lead Consultant to enable them to assemble the Tender Documentation and to issue it to firms selected to tender.



3.4 Assist the Lead Consultant and any other consultants in advising the Client as to the relative merits of tenders, prices and estimates received for execution of all or part of the Works.

**4.0 Other Services to be performed by ABA (subject to agreement of fees for these Services)**

4.1 Prepare any report or documentation required for consideration of proposals for alternative works.

4.2 Prepare any information necessary for the Client's negotiations with third parties including ground landlords, financing bodies and adjoining site owners.

4.3 Consider, in conjunction with the Lead Consultant, alternative designs for the works submitted by contractors.

4.4 Prepare detailed drawings and bar bending schedules for reinforced concrete work.

4.5 Examine any designs carried out by a contractor or sub-contractor on the basis of a performance specification for general compliance with the specification.

4.6 Check and/or advise upon any part of the Works not designed by ABA.

4.7 Make visits to site in addition to those allowed for.

4.8 Perform any services which ABA may be so required to do under any contract for the construction of the Works including where appropriate the witnessing of any specified tests.

4.9 Perform work or advise the Client in connection with any claim or matter where such claim or matter arises out of any contract for the construction of the Works.

**5.0 Other Services, to be arranged by ABA (subject to agreement of fees for doing so) but to be performed by others appointed directly by the Client**

5.1 Specialist technical advice on any aspect of the Works which is not within the expertise of ABA.

5.2 Contamination appraisal and investigations of the site.

5.3 Recommendation of any necessary remediation works required to the site and/or any necessary protection measures needed as a result of any investigations carried out under 5.2.

5.4 Topographical, dimensional, condition or analytical survey of sites or details of construction in existence on or adjacent to any site.

- 5.5 Investigation or tests of the nature and strength of existing materials or structures.
- 5.6 Independent checking of structural or other designs, including Category 3 checks.
- 5.7 Special inspections or tests advised by ABA.
- 5.8 Preparation, or assistance in the preparation, of an environmental impact assessment in respect of the Works.



Phillips Planning Services Ltd.  
Town Planning and Development Consultants

## **THE GARDEN HOUSE**

FITZJOHN'S AVENUE / ELLERDALE ROAD, LONDON